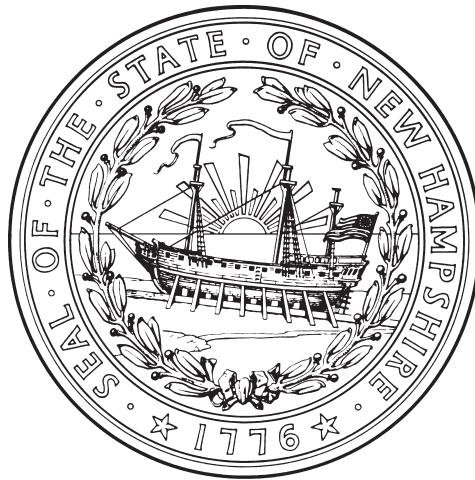


February 4, 2009
Nos. 2 - 3

STATE OF NEW HAMPSHIRE

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161st Session of the New Hampshire General Court

Legislative Proceedings

SENATE JOURNAL

ADJOURNMENT – JANUARY 8, 2009 SESSION
COMMENCEMENT – FEBRUARY 4, 2009 SESSION

SENATE JOURNAL 2 *(continued)*

January 8, 2009

Out of Recess.

INTRODUCTION OF SENATE BILLS

Sen. Hassan offered the following Resolution:

RESOLVED, That in accordance with the list in the possession of the Senate Clerk, the following Senate legislation shall be by this Resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Resolution adopted.

First and Second Reading and Referral

09-0038

SB 10-FN-A-LOCAL, making an appropriation to the town of Allenstown for disaster assistance in response to the May 2006 and April 2007 floods. (Barnes, Jr., Dist 17; Yeaton, Merr 8; Carole Brown, Merr 8; Porter, Merr 8; Davis, Merr 7; Kelly, Merr 7: Finance)

09-0089

SB 11, relative to procedures in certain landlord tenant actions. (Barnes, Jr., Dist 17: Judiciary)

09-0181

SB 12, relative to increasing the membership of the board of marital mediator certification and renaming marital mediators as family mediators. (Bragdon, Dist 11; Irwin, Hills 3; Gargas, Hills 5: Executive Departments and Administration)

09-0183

SB 13, declaring the chinook the state dog of New Hampshire. (Roberge, Dist 9; Cilley, Dist 6; Schmidt, Strafford 4; Cooney, Graf 7; Reagan, Rock 1; Spaulding, Hills 18: Executive Departments and Administration)

09-0184

SB 14, relative to the governing boards of allied health professionals. (DeVries, Dist 18: Executive Departments and Administration)

09-0186

SB 15, relative to the membership of the state veterans' advisory committee. (Barnes, Jr., Dist 17; Hassan, Dist 23: Election Law and Veterans' Affairs)

09-0188

SB 16, extending the date for completion of the state park system development plan. (Odell, Dist 8; Fuller Clark, Dist 24; Webb, Merr 2; Kepner, Rock 15; Sanders, Rock 7: Energy, Environment and Economic Development)

09-0256

SB 17, relative to Selective Service registration upon driver's license application or renewal. (Barnes, Jr., Dist 17; Nevins, Rock 15; Kappler, Rock 2; Baldasaro, Rock 3; Emiro, Rock 3; K. Roberts, Ches 3: Executive Departments and Administration)

09-0282

SB 18-FN-A, increasing the staff and information technology responsibilities of the department of justice, charitable trust unit and establishing the charitable trust protection fund. (Janeway, Dist 7: Judiciary)

09-0438

SB 19, relative to government immunity from lawsuits for municipal dog parks. (DeVries, Dist 18; Roberge, Dist 9: Judiciary)

09-0554

SB 20, adding a member to the statewide trail system advisory committee. (Letourneau, Dist 19; Downing, Dist 22; C. McMahon, Rock 4; Griffin, Rock 4; DiFrancia, Rock 4; Kolodziej, Rock 4; K. Gould, Rock 5: Energy, Environment and Economic Development)

09-0770

SB 21, enabling certain persons to vote in primaries prior to turning 18 years of age. (Reynolds, Dist 2; Hassan, Dist 23; Gargasz, Hills 5: Election Law and Veterans' Affairs)

09-0803

SB 22-FN, relative to criminal mischief of property with geological value. (Barnes, Jr., Dist 17: Judiciary)

09-0851

SB 23, relative to food allergy awareness in restaurants and other food service establishments. (D'Allesandro, Dist 20: Health and Human Services)

09-0866

SB 24, relative to rulemaking by the board of natural scientists and the board of professional geologists. (D'Allesandro, Dist 20; Millham, Belk 5: Executive Departments and Administration)

09-0867

SB 25-FN, relative to the operation of the Hillsborough county domestic violence unit in the Manchester district court. (D'Allesandro, Dist 20; Gatsas, Dist 16; DeVries, Dist 18; Pilotte, Hills 16; Emerton, Hills 7: Executive Departments and Administration)

09-0868

SB 26, relative to degree granting authority for St. John International University. (D'Allesandro, Dist 20; Kelly, Dist 10; Fuller Clark, Dist 24; Gatsas, Dist 16; Carson, Dist 14; Stiles, Rock 15: Education)

09-0877

SB 28-FN, relative to annual dam registration fees for non-menace dams. (Gallus, Dist 1; Reynolds, Dist 2; Remick, Coos 2; H. Richardson, Coos 2; Ingersoll, Coos 4; Stohl, Coos 1; E. Merrick, Coos 2: Energy, Environment and Economic Development)

09-0879

SB 29, relative to review of developments of regional impact. (DeVries, Dist 18; Lasky, Dist 13; Spang, Strafford 7: Public and Municipal Affairs)

09-0925

SB 30, requiring manufactured housing park owners to provide copies of the manufactured housing parks law to prospective tenants. (Barnes, Jr., Dist 17; Sgambati, Dist 4: Commerce, Labor and Consumer Protection)

09-0934

SB 31-FN, establishing the Candia District Court and the Manchester District Court as judicial branch family division sites. (Reynolds, Dist 2: Judiciary)

09-0939

SB 32, relative to notice to a defendant of the availability of sentence review. (Reynolds, Dist 2: Judiciary)

09-0943

SB 33, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch. (Reynolds, Dist 2: Election Law and Veterans' Affairs)

09-0944

SB 34, providing that registers of probate be present at the probate office in accordance with personnel rules established by the supreme court. (Reynolds, Dist 2: Judiciary)

09-0950

SB 35, establishing a committee to study creating a veterans' legal aid advocacy project in New Hampshire. (Barnes, Jr., Dist 17; Hassan, Dist 23; K. Roberts, Ches 3; Emiro, Rock 3; R. Ober, Hills 27: Election Law and Veterans' Affairs)

09-0982

SB 36, relative to the inspection of electrologist offices. (Reynolds, Dist 2: Executive Departments and Administration)

09-0997

SB 37, relative to release of a defendant pending trial. (Reynolds, Dist 2: Judiciary)

09-0972

SB 38, relative to placing vote tallies on town and school district ballots. (Bragdon, Dist 11; Barnes, Jr., Dist 17: Public and Municipal Affairs)

09-0981

SB 39-FN-LOCAL, relative to municipal deposits. (Reynolds, Dist 2; Odell, Dist 8; Cooney, Graf 7; Laliberte, Graf 10: Public and Municipal Affairs)

09-0578

SB 40, relative to protecting workers and local governments with advance notice of impending plant closings and layoffs. (DeVries, Dist 18; Hassan, Dist 23; Barnes, Jr., Dist 17; Cilley, Dist 6; D'Allesandro, Dist 20; Fuller Clark, Dist 24; Gallus, Dist 1; Gilmour, Dist 12; Houde, Dist 5; Janeway, Dist 7; Kelly, Dist 10; Larsen, Dist 15; Lasky, Dist 13; Merrill, Dist 21; Odell, Dist 8; Reynolds, Dist 2; Roberge, Dist 9; Sgambati, Dist 4; R. Holden, Hills 7; Craig, Hills 9; Nixon, Hills 17; Bishop, Rock 2; M. Smith, Straf 7: Commerce, Labor and Consumer Protection)

09-0652

SB 41, relative to campaign activities at polling places. (Denley, Dist 3: Election Law and Veterans' Affairs)

09-0847

SB 42, establishing a committee to study the cost and feasibility of implementing a hospice benefit under Medicaid. (Gilmour, Dist 12; Kelly, Dist 10; Sgambati, Dist 4; Rosenwald, Hills 22; Millham, Belk 5; Schulze, Hills 26; Harding, Graf 11: Health and Human Services)

09-0854

SB 43, relative to including a parent's residence in the parenting plan. (D'Allesandro, Dist 20; Sgambati, Dist 4: Judiciary)

09-0897

SB 44, establishing a commission to review all fees charged by the department of environmental services. (Fuller Clark, Dist 24: Energy, Environment and Economic Development)

09-0900

SB 45, extending the commission to review New Hampshire's statutes on human immunodeficiency virus education, prevention, and control. (Fuller Clark, Dist 24: Health and Human Services)

09-0910

SB 46, relative to group life insurance. (D'Allesandro, Dist 20; Reardon, Merr 11: Commerce, Labor and Consumer Protection)

09-0922

SB 47, relative to surface water. (Cilley, Dist 6: Energy, Environment and Economic Development)

09-0923

SB 48, relative to preventing contamination of groundwater from certain geothermal processes. (Cilley, Dist 6; Merrill, Dist 21; Odell, Dist 8; Janeway, Dist 7; Moody, Rock 12; Keans, Straf 1; Perry, Straf 3; S. Price, Straf 3: Energy, Environment and Economic Development)

09-0928

SB 49, relative to the board of barbering, cosmetology, and esthetics. (D'Allesandro, Dist 20; D. Sullivan, Hills 8: Executive Departments and Administration)

09-0929

SB 50, relative to funds and programs of the department of environmental services. (Merrill, Dist 21; Beaulieu, Hills 17; Messier, Hills 17: Energy, Environment and Economic Development)

09-0932

SB 51, requiring confidentiality of jurors' addresses and the file in an involuntary admission proceeding. (Reynolds, Dist 2; Cote, Hills 23: Judiciary)

09-0933

SB 52, making technical corrections to laws relative to courts and court procedures. (Reynolds, Dist 2; Cote, Hills 23: Judiciary)

09-0938

SB 53, establishing professional guardians and removing the oath requirement in annual reports of the guardian. (Reynolds, Dist 2; Cote, Hills 23: Judiciary)

09-0942

SB 54, eliminating the reference to per diem compensation of probate judges presiding over involuntary admissions hearings. (Reynolds, Dist 2; Cote, Hills 23: Judiciary)

09-0949

SB 55, establishing a commission to study the collision repair industry in New Hampshire. (DeVries, Dist 18: Commerce, Labor and Consumer Protection)

09-0968

SB 56, relative to financial responsibility for large groundwater withdrawals. (Cilley, Dist 6: Energy, Environment and Economic Development)

09-0951

SB 57, relative to the commission to study the effects of post-traumatic stress disorder and traumatic brain injury suffered by New Hampshire soldiers and veterans returning from Iraq and Afghanistan. (Carson, Dist 14; Baldasaro, Rock 3; Bettencourt, Rock 4; K. Roberts, Ches 3: Election Law and Veterans' Affairs)

09-0984

SB 58, relative to the use of alternating flashing lights on highway maintenance vehicles. (Letourneau, Dist 19; Kelly, Dist 10; Gatsas, Dist 16; Downing, Dist 22; Packard, Rock 3; Nedeau, Belk 3; R. Williams, Merr 11; Bouchard, Merr 11; Chandler, Carr 1: Transportation and Interstate Cooperation)

09-0990

SB 59, relative to the renovation and replacement of school buildings. (Fuller Clark, Dist 24: Education)

09-0992

SB 60, establishing a committee to study water sustainability. (Fuller Clark, Dist 24; Cilley, Dist 6; Janeway, Dist 7; Odell, Dist 8; Tupper, Merr 6; Spang, Straf 7; Borden, Rock 18: Energy, Environment and Economic Development)

09-0996

SB 61, relative to consumer credit report of satisfied debts. (Fuller Clark, Dist 24: Commerce, Labor and Consumer Protection)

09-1001

SB 62, establishing a commission to study creating a statewide plan for addressing Alzheimer's disease in New Hampshire. (Hassan, Dist 23; Sgambati, Dist 4; Gilmour, Dist 12; Downing, Dist 22; Rosenwald, Hills 22; Schlachman, Rock 13; Lyons, Rock 8: Health and Human Services)

09-0451

SB 63-FN, relative to ensuring consumer access to care upon the termination of a participating provider. (Sgambati, Dist 4; Reynolds, Dist 2; Kelly, Dist 10; Gallus, Dist 1; Arsenault, Belk 4; Reeve, Belk 4; Nordgren, Graf 9; Donovan, Sull 4; Batula, Hills 19: Health and Human Services)

09-0452

SB 64-FN, establishing a board of dental hygienists. (Sgambati, Dist 4; Odell, Dist 8; Schmidt, Straf 4; Pilliod, Belk 5; Arsenault, Belk 4; French, Merr 5: Executive Departments and Administration)

09-0743

SB 65-FN, relative to the acceptance of in lieu payments for the restoration or creation of wetlands. (Janeway, Dist 7; Kappler, Rock 2; Gottling, Sull 3: Energy, Environment and Economic Development)

09-0894

SB 67-FN-A, relative to funding certain AIDS services organizations. (Fuller Clark, Dist 24: Health and Human Services)

09-0890

SB 68-FN, relative to the use of state vehicles. (Cilley, Dist 6; DeVries, Dist 18; Odell, Dist 8; Hassan, Dist 23; S. Price, Straf 3; Keans, Straf 1; Mann, Rock 1; Pilotte, Hills 16: Executive Departments and Administration)

09-0913

SB 69-FN, eliminating the financial ceiling on design build contracting for transportation projects. (Janeway, Dist 7: Transportation and Interstate Cooperation)

09-0937

SB 70-FN, authorizing the office of mediation and arbitration within the judicial branch to provide pre-suit alternative dispute resolution services. (Reynolds, Dist 2; Cote, Hills 23: Judiciary)

09-0962

SB 71, establishing a commission to study the feasibility of regional transit. (Carson, Dist 14; Fuller Clark, Dist 24: Transportation and Interstate Cooperation)

09-0978

SB 72-FN-LOCAL, consolidating cemetery boards of trustees in Nashua. (Lasky, Dist 13; Clemons, Hills 24; Cote, Hills 23; Campbell, Hills 24; P. Price, Hills 26: Executive Departments and Administration)

09-0987

SB 73-FN, requiring state departments to reduce energy consumption and to make an annual report on their energy consumption reduction efforts. (Fuller Clark, Dist 24: Energy, Environment and Economic Development)

09-0159

SB 75, changing the formula for distribution of highway funds in the Woodsville fire district. (Reynolds, Dist 2; Ladd, Graf 5; Ingbreton, Graf 5: Public and Municipal Affairs)

09-0182

SB 76, naming a bridge in the town of Barrington the Sp. Jesse Scott Conger Memorial Bridge. (Cilley, Dist 6; Barnes, Jr., Dist 17; Hassan, Dist 23; Letourneau, Dist 19; S. Price, Straf 3; Perry, Straf 3; Cyr, Straf 3; Vachon, Straf 3: Public and Municipal Affairs)

09-0185

SB 77, renaming the Christa McAuliffe planetarium the McAuliffe-Shepard discovery center. (Janeway, Dist 7; D'Allesandro, Dist 20; Larsen, Dist 15; Letourneau, Dist 19; Osborne, Merr 12; Bouchard, Merr 11: Executive Departments and Administration)

09-0361

SB 78, relative to contractor accountability and disclosure in the public works construction procurement process. (Hassan, Dist 23; DeVries, Dist 18; Lasky, Dist 13; Goley, Hills 8; Benn, Graf 9; Tahir, Hills 9; R. Holden, Hills 7: Commerce, Labor and Consumer Protection)

09-0439

SB 79, relative to the compensation of game operators. (Odell, Dist 8; Sgambati, Dist 4; Reynolds, Dist 2; Bragdon, Dist 11; Denley, Dist 3; Cilley, Dist 6; Hamm, Merr 4; Griffin, Rock 4; Emerton, Hills 7: Ways and Means)

09-0856

SB 80, requiring insurance coverage for services provided by athletic trainers. (D'Allesandro, Dist 20; Kelly, Dist 10; Reynolds, Dist 2: Commerce, Labor and Consumer Protection)

09-0870

SB 81, relative to urology patients. (D'Allesandro, Dist 20; Sgambati, Dist 4: Executive Departments and Administration)

09-0876

SB 82-FN, eliminating fees for plates and registration for certain veterans. (Sgambati, Dist 4; Hassan, Dist 23; Barnes, Jr., Dist 17; D'Allesandro, Dist 20; Houde, Dist 5; Baldasaro, Rock 3; Foose, Merr 1; K. Roberts, Ches 3: Transportation and Interstate Cooperation)

09-0880

SB 83, establishing a committee to study net loss carry forward provisions under the business taxes. (DeVries, Dist 18; D'Allesandro, Dist 20; Odell, Dist 8; P. Price, Hills 26: Ways and Means)

09-0895

SB 84, relative to the unused prescription drug program. (Fuller Clark, Dist 24; Gilmour, Dist 12; J. Day, Rock 13; Pepino, Hills 11; Emerton, Hills 7: Judiciary)

09-0902

SB 85, extending the commission to develop a plan for the expansion of transmission capacity in the north country. (Fuller Clark, Dist 24; Gallus, Dist 1; Merrill, Dist 21; Kaen, Straf 7: Energy, Environment and Economic Development)

09-0905

SB 86, relative to the minimum period of service for eligibility for the veterans' property tax credit. (Sgambati, Dist 4; Reynolds, Dist 2; Houde, Dist 5; Baldasaro, Rock 3; Cyr, Straf 3; Arsenault, Belk 4: Public and Municipal Affairs)

09-0940

SB 87-LOCAL, changing the timing of payment of fine revenue from district court clerks to municipalities. (Reynolds, Dist 2; Cote, Hills 23: Judiciary)

09-0941

SB 88, relative to recommendations of marital masters. (Reynolds, Dist 2; Cote, Hills 23: Judiciary)

09-0948

SB 89-FN, relative to unemployment overpayments. (DeVries, Dist 18: Commerce, Labor and Consumer Protection)

09-0958

SB 90, establishing a private right of action for pharmacies against health maintenance organizations. (Gilmour, Dist 12; Roberge, Dist 9; Cilley, Dist 6; Case, Rock 1; Keans, Straf 1: Judiciary)

09-0961

SB 91, relative to the duties of a moderator and a municipality before, during, and after an election. (Carson, Dist 14; Baldasaro, Rock 3: Election Law and Veterans' Affairs)

09-0965

SB 92, relative to the commission to study access to consumer credit for people in New Hampshire. (Cilley, Dist 6; Reynolds, Dist 2; Odell, Dist 8; Almy, Graf 11: Commerce, Labor and Consumer Protection)

09-0970

SB 93, extending the exemption from subsequent local land use regulation where substantial development has begun on an approved plan. (Bragdon, Dist 11: Public and Municipal Affairs)

09-0985

SB 94, relative to the creation of express trusts for payment of claims for materials and services rendered in building projects. (Letourneau, Dist 19; Cilley, Dist 6; Hunt, Ches 7; Packard, Rock 3: Commerce, Labor and Consumer Protection)

09-0986

SB 95, relative to criminal records checks for volunteers and other persons having direct contact with a client. (Gallus, Dist 1; Hassan, Dist 23; Irwin, Hills 3; Millham, Belk 5; Headd, Rock 3; Bouchard, Merr 11: Health and Human Services)

09-0993

SB 96, naming a bridge in Webster in honor of William Tracy. (Janeway, Dist 7; Hamm, Merr 4; G. Richardson, Merr 4; Owen, Merr 4: Public and Municipal Affairs)

09-1007

SB 97, relative to customer information regarding the energy sources and environmental characteristics of their electric service. (Merrill, Dist 21; Fuller Clark, Dist 24; S. Harvey, Hills 21; Borden, Rock 18: Energy, Environment and Economic Development)

09-1008

SB 98, establishing a commission to study state regulations governing installation of boilers, pressure vessels, and related high performance HVAC equipment. (Merrill, Dist 21; Fuller Clark, Dist 24: Executive Departments and Administration)

09-0855

SB 100-FN, relative to home improvement contracts. (D'Allesandro, Dist 20: Commerce, Labor and Consumer Protection)

09-0862

SB 101-FN-A, relative to the Cannon Mountain ski area. (Gallus, Dist 1; Gatsas, Dist 16; Gionet, Graf 3; B. Ward, Graf 1; Ingersoll, Coos 4; Theberge, Coos 4; Chandler, Carr 1: Energy, Environment and Economic Development)

09-0896

SB 102-FN, relative to managed care and patient choice. (Fuller Clark, Dist 24; Lasky, Dist 13; DeVries, Dist 18; Roberge, Dist 9; Rosenwald, Hills 22: Commerce, Labor and Consumer Protection)

09-0912

SB 104-FN-A, relative to driveway construction permit fees. (Janeway, Dist 7: Transportation and Interstate Cooperation)

09-0914

SB 105-FN-A, relative to permit fees for certain vehicles. (Janeway, Dist 7: Transportation and Interstate Cooperation)

09-0969

SB 107-FN, relative to the leasing of state-owned real estate on public waters. (Sgambati, Dist 4; Reynolds, Dist 2; Fuller Clark, Dist 24; Denley, Dist 3; Benn, Graf 9; Campbell, Hills 24; Renzullo, Hills 27: Energy, Environment and Economic Development)

09-0887

SB 108, establishing a committee to study the imposition of assessments to retirement system employers for excess benefits paid to retirees. (Cilley, Dist 6; Downing, Dist 22; Carson, Dist 14; Schmidt, Straf 4; Pilotte, Hills 16; DeJoie, Merr 11: Executive Departments and Administration)

09-0224

SB 109, relative to certification of excess weight vehicles. (Letourneau, Dist 19; Downing, Dist 22; Gallus, Dist 1; Cilley, Dist 6; Carson, Dist 14; Bouchard, Merr 11: Transportation and Interstate Cooperation)

09-0356

SB 110, authorizing appointment of town clerks. (Sgambati, Dist 4; Barnes, Jr., Dist 17; Roberge, Dist 9; Cyr, Straf 3; Perry, Straf 3: Public and Municipal Affairs)

09-0394

SB 111, authorizing the governor to appoint an additional public member to the rail transit authority and modifying the membership requirement of the state veterans' advisory committee. (Kelly, Dist 10; Barnes, Jr., Dist 17; Carson, Dist 14; Downing, Dist 22; Fuller Clark, Dist 24; Gallus, Dist 1; Gilmour, Dist 12; Hassan, Dist 23; Houde, Dist 5; Larsen, Dist 15; Lasky, Dist 13; Merrill, Dist 21; Odell, Dist 8; Reynolds, Dist 2; Roberge, Dist 9; Sgambati, Dist 4; Cilley, Dist 6: Election Law and Veterans' Affairs)

09-0865

SB 112, establishing a commission to study facility-based treatment programs for certain adults with developmental disabilities. (Merrill, Dist 21; Gilmour, Dist 12; Rosenwald, Hills 22: Health and Human Services)

09-0874

SB 113, authorizing the electronic enforcement of traffic signal violations. (Roberge, Dist 9; Hawkins, Hills 18; Graham, Hills 18: Judiciary)

09-0892

SB 114, relative to the threshold for notification for lead levels and a window replacement program. (DeVries, Dist 18; Cilley, Dist 6; Benn, Graf 9; Rosenwald, Hills 22; Case, Rock 1: Health and Human Services)

09-0907

SB 115, relative to eligibility for the healthy kids program. (Sgambati, Dist 4; Cilley, Dist 6; D'Allesandro, Dist 20; DeVries, Dist 18; Fuller Clark, Dist 24; Gilmour, Dist 12; Hassan, Dist 23; Houde, Dist 5; Janeway, Dist 7; Kelly, Dist 10; Larsen, Dist 15; Lasky, Dist 13; Merrill, Dist 21; Reynolds, Dist 2; Arsenault, Belk 4; Nordgren, Graf 9; Donovan, Sull 4; Batula, Hills 19; Pilliod, Belk 5: Health and Human Services)

09-0908

SB 116, repealing the prohibition on political contributions by insurance companies. (D'Allesandro, Dist 20; Gallus, Dist 1; DeVries, Dist 18; Reardon, Merr 11; Hunt, Ches 7: Election Law and Veterans' Affairs)

09-0919

SB 117, establishing a committee to study the feasibility of establishing a program to provide low-cost firewood from state lands to low-income individuals. (Houde, Dist 5; Sgambati, Dist 4; Reynolds, Dist 2; Odell, Dist 8; Gallus, Dist 1; Townsend, Graf 10; Laliberte, Graf 10: Energy, Environment and Economic Development)

09-0920

SB 118, relative to assistance in voting. (Houde, Dist 5; Carson, Dist 14; Fuller Clark, Dist 24; Gallus, Dist 1; Gilmour, Dist 12; Hassan, Dist 23; Janeway, Dist 7; Lasky, Dist 13; Letourneau, Dist 19; Merrill, Dist 21; Reynolds, Dist 2; Sgambati, Dist 4; Pierce, Graf 9; Houde-Quimby, Sull 1; Skinder, Sull 1: Election Law and Veterans' Affairs)

09-0931

SB 119, relative to provider contract standards. (Merrill, Dist 21; Cilley, Dist 6; McEachern, Rock 16: Commerce, Labor and Consumer Protection)

09-0957

SB 120, relative to nonemergency involuntary admissions and permitted condition of conditional discharge from a mental health facility. (Lasky, Dist 13; P. Preston, Graf 8: Judiciary)

09-0963

SB 121, establishing a commission to study potential revenue enhancements for municipalities. (Houde, Dist 5; Cilley, Dist 6; Fuller Clark, Dist 24; DeVries, Dist 18; Janeway, Dist 7; Reynolds, Dist 2; Almy, Graf 11; Harding, Graf 11; F. Gould, Graf 11; Gagnon, Sull 4: Public and Municipal Affairs)

09-0964

SB 122, relative to the quorum of the commission to oversee and negotiate issues relative to NAFTA and the WTO. (Cilley, Dist 6; Nord, Rock 1: Executive Departments and Administration)

09-0967

SB 123, relative to agricultural restricted covenants. (Cilley, Dist 6; Janeway, Dist 7; Sad, Ches 2; Owen, Merr 4; Knox, Carr 4: Public and Municipal Affairs)

09-0971

SB 124, relative to beaver dams. (Bragdon, Dist 11; Roberge, Dist 9; Skinder, Sull 1: Energy, Environment and Economic Development)

09-0974

SB 125, relative to proof of age for an underage drug or alcohol house party. (Roberge, Dist 9; Gallus, Dist 1; Letourneau, Dist 19; Hawkins, Hills 18; Graham, Hills 18: Judiciary)

09-0975

SB 126, relative to the use of audio and video recording devices by law enforcement officers. (Roberge, Dist 9; Barnes, Jr., Dist 17; Gallus, Dist 1; Hawkins, Hills 18; Graham, Hills 18; L'Heureux, Hills 19: Judiciary)

09-0989

SB 127, making renewable energy facilities eligible for certain bonds issued by municipalities and business and industrial development authorities. (Fuller Clark, Dist 24: Energy, Environment and Economic Development)

09-0994

SB 128, allowing municipalities to grant a property tax credit for low income persons owning residential property. (Fuller Clark, Dist 24: Public and Municipal Affairs)

09-0998

SB 129, establishing a committee to study negative balance employers. (Hassan, Dist 23; DeVries, Dist 18; Reynolds, Dist 2; Houde, Dist 5; Nord, Rock 1; Schlachman, Rock 13; Headd, Rock 3; Kopka, Hills 26: Commerce, Labor and Consumer Protection)

09-1002

SB 130, prohibiting the advertising and conducting of certain live musical performances or productions. (Cilley, Dist 6; Houde, Dist 5: Judiciary)

09-1003

SB 131, relative to state hiring of veterans. (Hassan, Dist 23; Barnes, Jr., Dist 17; Carson, Dist 14; Cilley, Dist 6; D'Allesandro, Dist 20; Denley, Dist 3; DeVries, Dist 18; Downing, Dist 22; Fuller Clark, Dist 24; Gallus, Dist 1; Gatsas, Dist 16; Gilmour, Dist 12; Houde, Dist 5; Kelly, Dist 10; Larsen, Dist 15; Lasky, Dist 13; Letourneau, Dist 19; Merrill, Dist 21; Reynolds, Dist 2; Roberge, Dist 9; Sgambati, Dist 4; Rep R. Ober, Hills 27; Weare, Rock 14; M. Rollo, Straf 2; K. Roberts, Ches 3: Executive Departments and Administration)

09-1006

SB 132, establishing a commission to study combining state agencies and programs to enhance efficiency and lower costs. (Hassan, Dist 23; Sgambati, Dist 4; Cilley, Dist 6; DeVries, Dist 18; Fuller Clark, Dist 24; Schlachman, Rock 13; Nordgren, Graf 9; Lyons, Rock 8; J. Russell, Rock 13: Executive Departments and Administration)

09-0225

SB 133-FN, authorizing purple heart special number plates for veterans still on active duty. (Letourneau, Dist 19; Barnes, Jr., Dist 17; Downing, Dist 22; Gatsas, Dist 16; Baldasaro, Rock 3; Packard, Rock 3; Graham, Hills 18; K. Roberts, Ches 3: Transportation and Interstate Cooperation)

09-0656

SB 134-FN, relative to the comprehensive shoreland protection act. (Fuller Clark, Dist 24; Sgambati, Dist 4; Merrill, Dist 21; Odell, Dist 8; Spang, Straf 7; Borden, Rock 18: Energy, Environment and Economic Development)

09-0861

SB 135-FN, increasing the registration fees for snowmobiles and the agent's fee for OHRVs and snowmobiles. (Gallus, Dist 1; Houde, Dist 5; Reynolds, Dist 2; Ingersoll, Coos 4; D. Russell, Belk 6; Fields, Belk 2: Ways and Means)

09-0864

SB 136-FN, relative to the motor vehicle registration fee supporting a municipal and transportation improvement fund. (Merrill, Dist 21; Fuller Clark, Dist 24; Houde, Dist 5; Schmidt, Straf 4; Schlachman, Rock 13: Public and Municipal Affairs)

09-0875

SB 137-FN-A, establishing a special motor vehicle license plate and associated fees to support the New Hampshire companion animal neutering fund. (Roberge, Dist 9; Carson, Dist 14; Dokmo, Hills 6; Skinder, Sull 1; Cooney, Graf 7; Reagan, Rock 1; Spaulding, Hills 18: Transportation and Interstate Cooperation)

09-0945

SB 141-FN, relative to a life settlements model act. (Cilley, Dist 6; Bragdon, Dist 11; Rosenwald, Hills 22; McEachern, Rock 16; Hunt, Ches 7: Commerce, Labor and Consumer Protection)

09-0947

SB 142, relative to registration of criminal offenders. (DeVries, Dist 18; Barnes, Jr., Dist 17; Carson, Dist 14; Denley, Dist 3; Downing, Dist 22; Fuller Clark, Dist 24; Gatsas, Dist 16; Gilmour, Dist 12; Houde, Dist 5; Letourneau, Dist 19: Judiciary)

09-0955

SB 143-FN, relative to the position of deputy commissioner of employment security. (Hassan, Dist 23; Reynolds, Dist 2; T. Russell, Rock 13: Executive Departments and Administration)

09-0956

SB 144-FN, allowing the unemployment compensation trust fund to be charged for benefits paid for certain employee terminations. (Hassan, Dist 23; DeVries, Dist 18; Reynolds, Dist 2; Schlachman, Rock 13; R. Holden, Hills 7; Craig, Hills 9: Commerce, Labor and Consumer Protection)

09-0973

SB 145-FN, relative to service on the retirement system board of trustees for certain board members. (DeVries, Dist 18; Goley, Hills 8; R. Holden, Hills 7; DeJoie, Merr 11; P. McMahon, Merr 3: Executive Departments and Administration)

09-1005

SB 147-FN, relative to the data collection practices of health care providers and relative to the development of a comprehensive uninsured health care database. (Hassan, Dist 23; Cilley, Dist 6; Fuller Clark, Dist 24; Gilmour, Dist 12; Houde, Dist 5; Kelly, Dist 10; Merrill, Dist 21; Reynolds, Dist 2; Hammond, Hills 3; Donovan, Sull 4; Butler, Carr 1: Commerce, Labor and Consumer Protection)

09-0065

SB 148, establishing that the state of New Hampshire recognizes the designations of Prisoner of War (POW) and Missing in Action (MIA) as valid descriptions of casualty status and category classification for military personnel. (Barnes, Jr., Dist 17; Fuller Clark, Dist 24; Reynolds, Dist 2; Baldasaro, Rock 3; Emerson, Ches 7: Election Law and Veterans' Affairs)

09-0180

SB 149, relative to the transition of functions and amending the reporting requirements of the community college system of New Hampshire. (Janeway, Dist 7; Odell, Dist 8; Lasky, Dist 13; Carson, Dist 14; Gile, Merr 10; Theberge, Coos 4; S. Scamman, Rock 13; P. Price, Hills 26; Irwin, Hills 3: Education)

09-0226

SB 150, relative to the definition of "neighborhood electric vehicle." (Letourneau, Dist 19; Carson, Dist 14; Gilmour, Dist 12; Packard, Rock 3; Chandler, Carr 1: Transportation and Interstate Cooperation)

09-0316

SB 151, relative to quorum requirements for public bodies for which a quorum is not expressly declared. (Cilley, Dist 6; Downing, Dist 22; Odell, Dist 8; Reynolds, Dist 2; Spang, Straf 7; Harding, Graf 11; S. Harvey, Hills 21; R. Holden, Hills 7: Judiciary)

09-0395

SB 152, relative to an investigation by the public utilities commission to determine whether the scrubber installation at the Merrimack station is in the public interest of retail customers. (Janeway, Dist 7; Cushing, Rock 15; R. Read, Rock 16; Borden, Rock 18: Energy, Environment and Economic Development)

09-0555

SB 153, relative to business practices between motor vehicle manufacturers, distributors, and dealers. (Letourneau, Dist 19; Kelly, Dist 10; DeVries, Dist 18; Packard, Rock 3; R. Williams, Merr 11: Commerce, Labor and Consumer Protection)

09-0852

SB 154, naming a certain portion of route 18 in the town of Franconia in honor of Corporal Bruce McKay. (D'Allesandro, Dist 20; Letourneau, Dist 19; DeVries, Dist 18; Downing, Dist 22; P. Garrity, Hills 14; Goley, Hills 8; Boisvert, Hills 17; Jeudy, Hills 10; C. Soucy, Hills 17: Transportation and Interstate Cooperation)

09-0946

SB 155, relative to financial disclosure by legislators. (Merrill, Dist 21; Roberge, Dist 9; Wall, Straf 7: Election Law and Veterans' Affairs)

09-0966

SB 156, relative to the commission to study the creation of an animal care worker classification. (Cilley, Dist 6; Roberge, Dist 9; Merrill, Dist 21; Abbott, Rock 12; P. Allen, Ches 6; L. Brown, Straf 3; Skinder, Sull 1: Executive Departments and Administration)

09-0995

SB 157, relative to the procedure for listing candidates on election ballots. (Houde, Dist 5; Fuller Clark, Dist 24; Cilley, Dist 6; Clemons, Hills 24: Election Law and Veterans' Affairs)

09-1004

SB 158, establishing a commission to study the creation of an uncompensated care fund to provide payments to certain health care providers. (Hassan, Dist 23; Sgambati, Dist 4; Gilmour, Dist 12; Gallus, Dist 1; Fuller Clark, Dist 24; Rosenwald, Hills 22; Reardon, Merr 11; Butler, Carr 1; Case, Rock 1; Hammond, Hills 3: Health and Human Services)

09-0280

SB 159-FN, relative to broadband technology planning and development. (Reynolds, Dist 2; Cilley, Dist 6; Kelly, Dist 10; Gallus, Dist 1; Janeway, Dist 7; Houde, Dist 5; Kaen, Straf 7; Friedrich, Graf 6: Energy, Environment and Economic Development)

09-0579

SB 160-FN, relative to benefits of dependents of a group II retirement system member who is killed or dies in the performance of duty. (Downing, Dist 22; D'Allesandro, Dist 20; DeVries, Dist 18; Cilley, Dist 6; Pearson, Rock 4; Bridle, Rock 15: Executive Departments and Administration)

09-0858

SB 161-FN, relative to responsibility for school attendance. (D'Allesandro, Dist 20; Messier, Hills 17; Craig, Hills 9; D. Sullivan, Hills 8: Education)

09-0859

SB 162-FN-A, relative to lake and pond preservation and making an appropriation therefor. (D'Allesandro, Dist 20; Gallus, Dist 1: Energy, Environment and Economic Development)

09-0878

SB 164-FN-A, relative to the expansion and funding of northern New Hampshire's electrical transmission system, and establishing the northern New Hampshire electrical transmission system improvement fund. (Gallus, Dist 1; Remick, Coos 2; Rappaport, Coos 1; Theberge, Coos 4: Energy, Environment and Economic Development)

09-0917

SB 165-FN, relative to fire alarm installer service certification for licensed electricians. (Gallus, Dist 1; Ingersoll, Coos 4; Hawkins, Hills 18; Reagan, Rock 1; Remick, Coos 2: Executive Departments and Administration)

09-0921

SB 166-FN, relative to mineral extraction, mining, and reclamation in New Hampshire. (Odell, Dist 8; Merrill, Dist 21; Denley, Dist 3; Fuller Clark, Dist 24; Spang, Straf 7; T. Howard, Sull 2: Energy, Environment and Economic Development)

09-0952

SB 168-FN, establishing the Coastal Watershed Alliance. (Hassan, Dist 23; Cilley, Dist 6; Merrill, Dist 21; Fuller Clark, Dist 24; Borden, Rock 18; Schlachman, Rock 13; Kepner, Rock 15; Spang, Straf 7: Energy, Environment and Economic Development)

09-0953

SB 170-FN, relative to benefits for unemployed persons who are attempting to establish a business. (Hassan, Dist 23; DeVries, Dist 18; Odell, Dist 8; Lasky, Dist 13; Sgambati, Dist 4; Gilmour, Dist 12; Cilley, Dist 6; Houde, Dist 5; Merrill, Dist 21; Kelly, Dist 10; Reynolds, Dist 2; Janeway, Dist 7; Fuller Clark, Dist 24; Craig, Hills 9; Schlachman, Rock 13; Goley, Hills 8; Bishop, Rock 2: Commerce, Labor and Consumer Protection)

09-0954

SB 172, relative to eligibility for state-federal extended unemployment benefits. (Hassan, Dist 23; Kelly, Dist 10; Downing, Dist 22; Goley, Hills 8; Reardon, Merr 11; Craig, Hills 9; J. Knowles, Hills 27: Commerce, Labor and Consumer Protection)

09-1021

SB 173, authorizing the commissioner of corrections to accept certain gifts. (D'Allesandro, Dist 20: Executive Departments and Administration)

09-1016

SB 178, relative to the operation of the special school district for the education of eligible offenders held in facilities operated by the department of corrections. (D'Allesandro, Dist 20: Executive Departments and Administration)

09-0935

CACR 6, Relating To: clerks of the probate court. Providing That: clerks of the probate court shall be appointed instead of elected. (Reynolds, Dist 2; Cote, Hills 23: Judiciary)

09-0899

CACR 9, Relating To: term of office. Providing That: beginning with the 2012 general election, there shall be a 4-year term of office for governor. (Fuller Clark, Dist 24; Splaine, Rock 16: Election Law and Veterans' Affairs)

09-0651

CACR 10, Relating To: electoral districts. Providing That: representative districts be apportioned within senate districts and that senate districts be apportioned within executive council districts and giving county boundaries priority in senate district apportionment. (Denley, Dist 3; Fleck, Carr 5; Scala, Carr 5: Election Law and Veterans' Affairs)

MOTION TO ADJOURN FROM LATE SESSION

Sen. Hassan moved that the Senate adjourn from the Late Session.

Motion adopted.

Adjournment from the Late Session.

SENATE JOURNAL 3

February 4, 2009

The Senate reconvened at 1 p.m., a quorum being present.

The Reverend Canon Charles Lafond, chaplain to the Senate, offered the following meditative thoughts and prayer:

Before coming to New Hampshire to be a priest in the Diocese of New Hampshire, I was a monk in a monastery, and I lived in a cloister with a habit and sang Gregorian chants six times a day. And people often asked me, they wondered what the hardest thing about being a monk was, and they often thought it was celibacy, and sometimes they thought it was poverty. Actually, the hardest thing was getting along with the brothers. (Laughter) And I would think that that's probably the same in Legislature: getting along with the brothers and sisters. But what we know about diamonds is that they get their beauty from the abrasions of knocking against each other, and so, too, I think do we. Let us pray:

God of all goodness, help us to see that those with whom we disagree are our greatest teachers; those who most annoy us are our salvation from insufferable pride; and that those who lack and hack at our notions of right and wrong forge our best work on their anvil. Amen

Sen. Sgambati led the Pledge of Allegiance.

Sen. Fuller Clark is excused for the day.

Senate Clerk Tammy Wright is excused for the day, having become a second-time grandmother, and is celebrating the birth of her healthy new grandson Braxton with her daughter in Florida.

Assistant Clerk Rob Buchholz will be serving as Clerk of the Senate for today's session.

INTRODUCTION OF GUESTS AND PRESENTATIONS

New Hampshire Jobs for America's Graduates (JAG) Students:

(The Chair recognized Sen. Gatsas to introduce the JAG Program.)

SENATOR GATSAS: Thank you, Madam President. Today I would like to welcome the New Hampshire JAG Program to the New Hampshire Senate. "JAG" stands for "Jobs for American Graduates." I think we can all agree this program is a champion in education. Its goal is to increase the success for all students who might have a focus for the future. It provides students one-on-one mentoring and encouragement to receive their high school diploma and continue on to enter the workforce or pursuit of postsecondary education. This next thing I'm about to tell you is pretty impressive. In the past three years, 100 percent of the students who participated in the JAG Program graduated from high school. (Applause) That's truly remarkable.

The reason for the visit to the State House today is to accept a donation from AT&T in the amount of \$132,000 for program support. This is a winning partnership, and I want to thank AT&T for supporting our youth. Michelle Consalvo, vice president of External Affairs, and Dave Mancuso are here today to represent AT&T. And if you certainly would stand so we can give you a round of applause. (Applause) With that, I would like to begin introductions.

WHEREUPON, the following participants in the New Hampshire JAG Program were introduced by their respective Senators:

Sen. Gatsas: NH JAG Program: Priscilla Parisien, president; Terry Sciuto, finance manager; program managers Janet Arnett, Katie Sickles. **Manchester Central High School:** student representatives Patrick Doyle, Raquel Zapporelli; staff member Sarah Bacon. **Manchester Community College Out-of-School Program:** student representatives Kaitlyn Andrews, Nicole Carchide; staff member Seth Window.

Sen. Gallus: Berlin High School: student representatives Katie Demers, Shawna Pageau; staff representative Lisa King.

Sen. Denley: Kennett High School, Conway: student representatives Jessie Young, Tyler Dewees, Ashlee Kidder; staff representative Megan Hanlon.

Sen. Reynolds: Woodsville High School: student representative Amanda Charles, Michelle Heintz; staff representative Kim Spaulding. **Grafton County Out-of-School Program:** student representative Erica Weeks, staff representative Suzanne Simano. **Haverhill Cooperative Middle School:** student representatives Mariah Mallett, Meghan Levreault, Elizabeth Blouin; staff representative Hannah Trott.

Sen. Sgambati: Laconia High School: student representatives Kaitlyn Peters, Jereco McNeil, Aaron Chapman; staff representative Amy Nutter. **Laconia Middle School:** student representatives Zak Estevez, Jasmine Blais; staff representative Joe Sampson.

Sen. DeVries: Manchester Memorial High School: student representatives Joseph Tonery, Sean Lore, Sadie Kowack; staff representative Chantel Vaillancourt.

Sen. D'Allesandro: Manchester West High School: student representatives Madeline Colon, Aleesha Parrilla, Valeria Fernandez, Kylie Fauquher-Buck; staff representatives David Hanley, Beverly Robie.

Sen. Odell: Stevens High School, Claremont: student representative Asia Colson, Amanda Bastarache; staff representative Dori Yacono.

Sen. Cilley: Spaulding High School, Rochester: student representative Zachary Brown, Kayla Burgos, Amanda Patch; staff representative Meghan Troddyn.

Sen. Barnes: Raymond High School: student representatives Jillian Brackett, Brett Hoover; staff representative Traci Stofega.

Sen. Hassan: Winnacunnet High School, Hampton: student representatives Asley Scelzi, Tyler Deveau, Jen Skoczylas; staff representative Megan Murtha.

Sen. Larsen: Concord High School: student representative Alyssa Etheridge, Jessica Vezina, Kelsey McAllister. **Merrimack Valley High School:** John Rossingnol, Tyler Valley, Brianna Young; staff representative Fred Marion.

Staff Member Ed Hebert was welcomed back to his duties as Status Clerk.

Dan Belanger, Hooksett, District 16 visiting constituent.

Resolutions: Manchester Central High Girls Soccer Team, NHIAA Class L Girls Soccer champions: Kristyn Heuslein, Jordan Muse, Tanya Robidoux, Jillian Graff, Lindzy Hamel, Victoria Lund, Keily Funk, Elizabeth Belanger, Tulia LaCroix, Devon McKiernan, Cassie Muse, Abby Wurtele, Meghan Tobin, Ainsley Smith, Sarah Barnes, Sarah Velasquez, Jayne Kelly, Lindsay Johnson and Carly Auger.

Resolution: Coach-of-the-Year finalist Peter Lally, Manchester Central High.

Resolution: Newfound Regional High School Girls Field Hockey Team, 2008 Class M state champions. Newfound Regional High School Coach Kerry Peterson, Principal Mike O'Malley, Athletic Director Peter Cochran, bus driver Jim Crawford.

Labor Commissioner George Copadis recognized and welcomed.

Former Sen. Ed Dupont recognized and welcomed.

UNH Senate Interns: Dan Bayley (Sen. Merrill); Dan Callahan (Sen. Cilley); Lindsey DuPont (Senators Kelly and Janeway); Ryan Harrington (Sen. D'Allesandro); Noah Hertzler (Sen. Letourneau); Stacy Clark (Sen. Fuller Clark); PSU Senate Intern: Gene Martin (Sen. DeVries).

Beaver Meadows School fourth-grade students, Concord.

Senate Page: Becky Weiss, Campbell High School, Litchfield.

Senate Page: Alyson Stapleton, Campbell High School, Litchfield.

Senate Page: Mike Clark, Campbell High School, Litchfield.

ANNOUNCEMENTS

SENATOR BARNES (Rule 44): On January 21st New Hampshire lost a public servant that I want to recognize by reading this resolution. I have a few other words to say after the resolution. Most of you in this room probably know who I'm talking about. Those of you who have been here even a short time, as you've walked into this chamber for joint sessions, the guy in the first seat was always the guy waving to the Senators and welcoming them as they came into the chamber. This is a resolution honoring Robert A. Johnson:

WHEREAS, Robert A. Johnson was a Northwood resident and a dedicated public servant to his community; and WHEREAS, Robert A. Johnson served as Northwood town moderator for 60 years, 6-0, having first been elected at the age of 21 and stepping down at the age of 81. And, WHEREAS, Robert A. Johnson served as school district moderator for almost forty years. And WHEREAS, Robert A. Johnson was elected to represent his community in New Hampshire House of Representatives from 1941 to 1950, and again from 1984 to 2007. And, WHEREAS, Robert A. Johnson served as a trustee of Coe-Brown Northwood Academy for 36 years, including serving as chairman of the board from 1969 to 1983. And, WHEREAS, Robert A. Johnson was well respected by members of the House and Senate who worked with him on state and local issues through the years, recognizing that he was always straightforward on where he stood and had an uncanny ability to get what he wanted accomplished. And, WHEREAS, Robert A. Johnson passed on January 21st, 2009, and will be profoundly missed by his family, friends; yet his unique smile lives on in our memories and we won't forget him because he made a difference. Now, THEREFORE, pursuant to a motion of Sen. John S. "Jack" Barnes, Jr., of District 17, be it RESOLVED that the New Hampshire Senate, that this legislative body hereby recognizes the contribution of Mr. Robert A. Johnson to his state, his beloved community of Northwood, and to his fellow citizens, and we pay tribute to his memory. And it's signed by our Senate President, Sen. Larsen.

Bob Johnson, an interesting guy. I had the pleasure of meeting him way back when I started in the running for the Senate; he was the town moderator, and I'd go to Bob for advice, and I did right up until the last time he was here. He left last year in the middle of the Session, he came down with a medical problem, and his wife told him it would be best if he sat home instead of coming up here every day. Bob was 92 years old. And I guess the thing I really want to tell you about Bob, I asked him one day, I think we were up at Johnson's Dairy Bar – it wasn't his, but it had his name on it, he was the "mayor" of Northwood, he was "Mr. Northwood," everybody knew Bob – I said, "Bob, how come you've never run for the State Senate? How come you haven't done that?" And he said, "Jack," he says, "I love it in the House, and I think as a senator, I would be too far away from my community." And that has been a lesson to me. I represent 11 other towns from the one where my cemetery plot is in Raymond, and the love of those other towns that I represent are just as important, and I try to keep them as close to me as I do my own town of Raymond. And I guess you guys all do the same. That's the lesson he taught me.

(The Chair recognized Sen. Barnes for a further Rule 44 relative to Robert A. Johnson.)

SENATOR BARNES (Rule 44): This is going to be passed on to his family. His wife, I understand, is listening to this on the computer, she's hearing the ceremony. Gosh, he loved it up here. I hope we have the same love for this body that we sit in as he had for the body that he sat in, and also for the towns that we represent. A lot of people asked us to come up here; we all represent about 55,000 people, and none of them are any more special than the other, they're all the same, they're our people. So let's think about the "Bob Johnsons" of the world. We don't have many of those fellows left. Can you imagine 60 years as the town moderator? That's older than most of your guys are, and gals are, in this chamber. He served there more than you guys have – look at Sen. Sgambati, she's not even 60 years old, he served there longer than Sen. Sgambati has been alive. That's something to think about, isn't it, huh? What a public servant. It's just great to have people like Bob Johnson serving the State of New Hampshire and our towns. And he got along with everybody, I never saw him get angry with people. He was also head of the parole board for a number of years; that's why he took a break in the action. Bob was on the parole board, he was very proud of that. And he's a proud guy, and you all know Rob who used to be the – or most of you know Rob who used to be the Sergeant-at-Arms, that's one of his three sons. So the Johnson Family had a fellow that did a great job for his town as well as the state. And I'm going to miss him. Every time I saw him coming, I knew it was going to be at least 20 minutes, but that's okay, and he was worth listening to; he had a lot of great history and great things to talk about. I used to bring him into Sen. Gatsas' office, and Sen. Gatsas used to thank me every time I brought him in, because that was the end of his lunch hour. But all of us take a lesson from that, guys: we're here to serve the people, and that's what he did, he certainly did it.

(The Chair recognized Sen. D'Allesandro for a Rule 44 regarding the passing of Marshall Cobleigh.)

SENATOR D'ALLESANDRO (Rule 44): Thank you, Madam President, and thank you, Sen. Barnes. It's a wonderful thing when we as public officials can say at the end of a person's time that they made a contribution not only to society, but made a contribution to the House, to the Senate, to elective office which they held, and I think that's a very significant item. I met Marshall Cobleigh when I first started in this business. I came here in 1972 as a member of the House of Representatives, and Marshall had just vacated as Speaker, he was replaced by one of the most honorable men I ever met in my life, Jim O'Neil. But Marshall was an innovator and a man who brought significant change to this legislative process, which I think is very, very important. The advent of the Legislative Budget Office was one of the thoughts that Marshall brought forward, because he knew that we needed some kind of amenity to support us in terms of the work we were doing on behalf of the people. The Legislative Budget Office, and Henry Goode, were really creations of Marshall Cobleigh, the streamlining of the process in the House. Marshall was a tough Speaker, but Marshall learned well under Walter Peterson, Walter was Marshall's mentor, Walter had been a Speaker of the House, and then had become governor of the State of New Hampshire. So that, that synergy existed at that time. And Marshall fell on some difficult times, both healthwise and other problems in his life, but he persevered, which is really what we all have to do; we have to live through these things, fight through these things, and move forward. When I moved to the Executive Council, Marshall was Meldrim Thomson's, not only his chief of staff but I think his number-one policy person, and again, Marshall's intellect, his ability to deal with the governmental process was something that we should be proud of. Because his legacy, Marshall's legacy to this assembly, is that he made a profound difference in how we manage our business. He had tough health issues at the end of his life, wrote the book that I'm sure that many of you have picked up and read, and many, many interesting stories. So the legacy of Marshall Cobleigh will live on. He did some very good things for the House, left his mark on the legislative process, and if we can say anything about anyone, as long as they've left something of credit, something that we all can learn from, then that life has been well lived and well served. And thank you, Sen. Barnes, for allowing me this opportunity to talk about Marshall. Thank you.

COMMITTEE REPORTS

SPECIAL ORDER

President Larsen, without objection, moved that SB 76 and SB 96 be Special-Ordered from the Public and Municipal Affairs Committee to the front of the Calendar.

SB 76, naming a bridge in the town of Barrington the Sp. Jesse Scott Conger Memorial Bridge.

SB 96, naming a bridge in Webster in honor of William Tracy.

SB 76, naming a bridge in the town of Barrington the Sp. Jesse Scott Conger Memorial Bridge. Public and Municipal Affairs Committee. Ought to Pass with Amendment, Vote 4-0.

Senator Barnes for the committee.

Public and Municipal Affairs
January 29, 2009
2009-0092s
06/09

Amendment to SB 76

Amend the bill by replacing section 1 with the following:

1 Town of Barrington; Bridge Named. Pursuant to RSA 4:43, the bridge that spans the Isinglass River on U.S. Route 202 in the town of Barrington shall be named the Sp. Jesse Scott Conger Memorial Bridge.

The question is on the adoption of Committee Amendment 0092s.

Committee Amendment 0092s adopted.

The question is on the motion of Ought to Pass as Amended on SB 76.

A roll call was requested by Sen. Hassan, seconded by Sen. Downing.

The following Senators voted Yes: Gallus, Reynolds, Denley, Sgambati, Houde, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gilmour, Lasky, Carson, Larsen, Gatsas, Barnes, DeVries, Letourneau, D'Allesandro, Merrill, Downing, Hassan.

The following Senators voted No: None.

Yeas: 23 - Nays: 0

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

SB 96, naming a bridge in Webster in honor of William Tracy. Public and Municipal Affairs Committee. Ought to Pass, Vote 4-0. Senator Houde for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 96.

A roll call was requested by Sen. Janeway, seconded by Sen. Barnes.

The following Senators voted Yes: Gallus, Reynolds, Denley, Sgambati, Houde, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gilmour, Lasky, Carson, Larsen, Gatsas, Barnes, DeVries, Letourneau, D'Allesandro, Merrill, Downing, Hassan.

The following Senators voted No: None.

Yeas: 23 - Nays: 0

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 46, relative to group life insurance. Commerce, Labor and Consumer Protection Committee. Ought to Pass, Vote 5-1. Senator Reynolds for the committee.

The question is on committee recommendation of Ought to Pass on SB 46.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 55, establishing a commission to study the collision repair industry in New Hampshire. Commerce, Labor and Consumer Protection Committee. Ought to Pass with Amendment, Vote 4-2. Senator DeVries for the committee.

0049 Commerce, Labor, and Consumer Protection

January 27, 2009

2009-0049s

05/10

Amendment to SB 55

Amend paragraph I of section 2 of the bill by inserting after subparagraph (f) the following new subparagraph:

(g) Two members of the public, appointed by the governor.

The question is on the adoption of Committee Amendment 0049s.

Committee Amendment 0049s adopted.

Sen. Barnes is in opposition to adoption of Committee Amendment 0049s.

The question is on the adoption of Ought to Pass as Amended on SB 55.

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

Sen. Barnes is in opposition to adoption of Ought to Pass as Amended on SB 55.

SB 92, relative to the commission to study access to consumer credit for people in New Hampshire. Commerce, Labor and Consumer Protection Committee. Ought to Pass, Vote 6-0. Senator Cilley for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 92.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 15, relative to the membership of the state veterans' advisory committee. Election Law and Veterans' Affairs. Ought to Pass with Amendment, Vote 5-0. Senator Barnes for the committee.

Election Law and Veterans' Affairs

January 27, 2009

2009-0055s

09/03

Amendment to SB 15

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 State Veterans' Advisory Committee. Amend RSA 115-A:2, VI(b) to read as follows:

(b) Two members of the senate, ~~[one of whom shall be from the public affairs committee,]~~ appointed by the senate president.

The question is on the adoption of Committee Amendment 0055s.

Committee Amendment 0055s adopted.

The question is on the motion of Ought to Pass as Amended on SB 15.

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

SB 33, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch. Election Law and Veterans' Affairs. Ought to Pass, Vote 5-0. Senator Lasky for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 33.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 35, establishing a committee to study creating a veterans' legal aid advocacy project in New Hampshire. Election Law and Veterans' Affairs. Ought to Pass with Amendment, Vote 5-0. Senator Houde for the committee.

Election Law and Veterans' Affairs

January 27, 2009

2009-0051s

09/01

Amendment to SB 35

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study creating a veterans' legal aid advocacy project in New Hampshire.

Amend the bill by replacing all after the enacting clause with the following:

1 Findings and Purpose.

I. The legislature finds that:

(a) About 10 percent of New Hampshire's population are veterans.

(b) Many veterans are low to moderate income and cannot afford attorneys. Veterans in rural areas encounter greater difficulties acquiring counsel.

(c) New Hampshire veterans of all ages have faced difficulty securing and maintaining public benefits, livable income, and safe and affordable housing.

(d) New Hampshire veterans currently returning from service in Afghanistan and Iraq are confronted with psychological, physical, and economic obstacles that sometimes require legal advocacy, including a high reported incidence of posttraumatic stress disorder (PTSD) and traumatic brain injury.

(e) As authorized by RSA 115:4, II(b), the director of the state veteran's council has identified a significant need for pro bono legal advocacy for veterans and has determined that the creation of the veterans' legal aid advocacy project is a possible model that could improve the delivery of services to veterans.

(f) Hundreds of New Hampshire veterans are homeless. Many are unaware of services available to them. Targeted legal outreach may help bring some veterans out of poverty.

(g) Veterans' legal aid advocacy projects have been developed in other states.

(h) New Hampshire Legal Assistance is a state-wide legal aid program with expertise in public benefits, disability advocacy, and housing advocacy.

II. The purpose of this act is to establish a commission to study creating a veterans' legal aid advocacy project in New Hampshire.

2 Commission Established. There is established a commission to study creating a veterans' legal aid advocacy project in New Hampshire.

3 Membership and Compensation I. The members of the commission shall be as follows:

(a) Two members of the senate, appointed by the president of the senate.

(b) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(c) The adjutant general of the New Hampshire national guard, or designee.

(d) The commandant of the New Hampshire veterans' home, or designee.

(e) The director of the New Hampshire state veterans council, or designee.

(f) One person appointed by the United States Department of Labor's New Hampshire office of the Veterans' Employment and Training Service.

(g) The commissioner of the department of employment security, or designee.

(h) One person appointed by Disabled American Veterans.

(i) One representative of New Hampshire Legal Assistance, appointed by the executive director.

(j) The chairperson of the New Hampshire Bar Association's Military Law Section, or designee.

(k) The bureau chief of the department of health and human services, bureau of community based care and military programs, or designee.

(l) The patient's advocate at the Veteran's Administration Medical Center, or designee.

(m) The chairman of the New Hampshire Committee for Employer Support of the Guard and Reserve, or designee.

(n) The executive director of National Center for PTSD, or designee.

(o) The executive director of a nonprofit organization that serves homeless veterans in New Hampshire, appointed by the governor.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

4 Duties. The commission shall study creating a veterans' legal aid advocacy project in New Hampshire as a component of New Hampshire Legal Assistance. The commission shall identify the scope of the legal need of underserved low and moderate income veterans in New Hampshire. The commission shall determine the best model for the delivery of legal aid services to veterans to meet the need, including, but not limited to, determining how the project complements the work of existing veterans' service organizations, particularly the state veterans council. The commission shall provide recommendations on funding levels needed for the veterans legal aid advocacy project. For purposes of the commission's study, "veteran" means current members and former members of the armed forces, national guard, and reserve units.

5 Chairperson. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 60 days of the effective date of this section.

6 Report. The commission shall report its findings and recommendations for proposed legislation, funding, and other proposals to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, the members of the executive council, and the state library. The preliminary report shall be submitted on or before December 1, 2009, and a final report shall be submitted on or before August 1, 2010.

7 Effective Date. This act shall take effect upon its passage.

The question is on the adoption of Committee Amendment 0051s.

Committee Amendment 0051s adopted.

The question is on the adoption of Ought to Pass as Amended on SB 35.

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

SB 16, extending the date for completion of the state park system development plan. Energy, Environment and Economic Development Committee. Ought to Pass with Amendment, Vote 5-0. Senator Denley for the committee.

Energy, Environment, and Economic Development

January 29, 2009

2009-0091s

04/01

Amendment to SB 16

Amend RSA 216-A:3-c, I as inserted by section 1 of the bill by replacing it with the following:

I. The director of parks and recreation shall by September 30, [2008] **2009**, publish a written comprehensive 10-year development plan for the state park system. The director may contract with an experienced, independent firm to assist in the development of this plan. The director shall submit copies of the plan to the governor, the governor's council, the presiding officers of the general court, the chairperson of the house resources, recreation and development committee, and the chairperson of the senate energy, environment, and economic development committee. On or before June 1, [2008] **2009**, the director of parks and recreation shall submit a progress report to the chairperson of the house resources, recreation and economic development committee and the chairperson of the senate energy, environment, and economic development committee.

The question is on the adoption of Committee Amendment 0091s.

Committee Amendment 0091s adopted.

The question is on the motion of Ought to Pass as Amended on SB 16.

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

SB 47, relative to surface water. Energy, Environment and Economic Development Committee. Ought to Pass, Vote 5-0. Senator Cilley for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 47.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 48, relative to preventing contamination of groundwater from certain geothermal processes. Energy, Environment and Economic Development Committee. Ought to Pass, Vote 5-0. Senator Cilley for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 48.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 12, relative to increasing the membership of the board of marital mediator certification and renaming marital mediators as family mediators. Executive Departments and Administration Committee. Ought to Pass, Vote 4-0. Senator Downing for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 12.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 36, relative to the inspection of electrologist offices. Executive Departments and Administration Committee. Ought to Pass, Vote 3-0. Senator Carson for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 36.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 32, relative to notice to a defendant of the availability of sentence review. Judiciary Committee. Ought to Pass, Vote 5-0. Senator Reynolds for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 32.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 37, relative to release of a defendant pending trial. Judiciary Committee. Ought to Pass, Vote 5-0. Senator Reynolds for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 37.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

Sen. Barnes is in opposition to the adoption of Ought to Pass on SB 37.

SB 51, requiring confidentiality of jurors' addresses and the file in an involuntary admission proceeding. Judiciary Committee. Ought to Pass with Amendment, Vote 5-0. Senator Houde for the committee.

Senate Judiciary
January 29, 2009
2009-0070s
09/04

Amendment to SB 51

Amend RSA 500-A:6, I as inserted by section 1 of the bill by replacing it with the following:

I. When ordered to do so by the court, the clerk shall draw at random from the master jury list the names or identifying numbers of as many prospective jurors as the court by order requires. The names or identifying numbers of prospective jurors may be chosen either by random drawing or by computer on a random basis. The clerk shall prepare an alphabetical list of the names drawn. The names drawn on the list may be disclosed only to persons authorized to see the list under this chapter or upon specific order of the court. *The addresses of jurors shall not be disclosed, except to counsel or a pro se party examining juror qualification forms.*

The question is on the adoption of Committee Amendment 0070s.

Committee Amendment 0070s adopted.

The question is on the motion of Ought to Pass as Amended on SB 51.

Motion of Ought to Pass as Amended adopted, bill ordered to Third Reading.

SB 54, eliminating the reference to per diem compensation for probate judges presiding over involuntary admissions hearings. Judiciary Committee. Ought to Pass, Vote 5-0. Senator Letourneau for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 54.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 38, relative to placing vote tallies on town and school district ballots. Public and Municipal Affairs Committee. Ought to Pass, Vote 4-0. Senator Barnes for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 38.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

SB 58, relative to the use of alternating flashing lights on highway maintenance vehicles.

Transportation and Interstate Cooperation Committee. Ought to Pass, Vote 4-0.

Senator Kelly for the committee.

The question is on the adoption of committee recommendation of Ought to Pass on SB 58.

Motion of Ought to Pass adopted, bill ordered to Third Reading.

MOTION TO ADJOURN FROM EARLY SESSION

Sen. Hassan moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time, that all bills and resolutions ordered to Third Reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

Motion adopted.

Adjournment from the Early Session.

LATE SESSION

Third Reading and Final Passage

SB 12, relative to increasing the membership of the board of marital mediator certification and renaming marital mediators as family mediators.

SB 15, relative to the membership of the state veterans' advisory committee.

SB 16, extending the date for completion of the state park system development plan.

SB 32, relative to notice to a defendant of the availability of sentence review.

SB 33, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch.

SB 35, establishing a commission to study creating a veterans' legal aid advocacy project in New Hampshire.

SB 36, relative to the inspection of electrologist offices.

SB 37, relative to release of a defendant pending trial.

SB 38, relative to placing vote tallies on town and school district ballots.

SB 46, relative to group life insurance.

SB 47, relative to surface water.

SB 48, relative to preventing contamination of groundwater from certain geothermal processes.

SB 51, requiring confidentiality of jurors' addresses and the file in an involuntary admission proceeding.

SB 54, eliminating the reference to per diem compensation for probate judges presiding over involuntary admissions hearings.

SB 55, establishing a commission to study the collision repair industry in New Hampshire.

SB 58, relative to the use of alternating flashing lights on highway maintenance vehicles.

SB 76, naming a bridge in the town of Barrington the Sp. Jesse Scott Conger Memorial Bridge.

SB 92, relative to the commission to study access to consumer credit for people in New Hampshire.

SB 96, naming a bridge in Webster in honor of William Tracy.

ANNOUNCEMENTS

FURTHER INTRODUCTION OF STAFF

Legislative Aide Greg Silverman was introduced by Sen. Sgambati.

("Happy Birthday" was sung by the Senate body to Sen. Harold Janeway.)

SENATOR LETOURNEAU (Rule 44): Thank you, Madam President, I have a Rule 44. This morning I had the opportunity to attend a memorial service for a resident of Derry who was not only a close personal friend, but an amazing woman who had served this state very well over the years. She was born in 1909, graduated from Pinkerton Academy in 1925, and UNH in 1930 when 97 percent of the students that graduated that year were men. So she was a pioneer and she was a wonderful lady. She was one of my best friend's mother, and she was 99 years old and she would have been a hundred this May. And I think that the state has lost a wonderful, wonderful lady who has been an inspiration for me in my life, and I just wanted to say that to my colleagues today. And she's going to be enturned – although she was a lifelong resident of Derry, she's going to be enturned in New Boston where her husband has been enturned, and they have a plot over there that they just loved the piece of land that they had purchased early on in life and enjoyed the view in New Boston. Thank you.

PRESIDENT LARSEN: If you'd like to add her name to the record.

SENATOR LETOURNEAU: Oh, I'm sorry. It was Winifred Brown. And her husband's name was Harland Brown, and her son was Harland Brown, Jr., which is my good friend, "Buster."

President Larsen moved that, without objection, the Rule 44's are to be entered into the permanent record.

MOTION TO RECESS TO CALL OF THE CHAIR

Sen. Hassan moved that the business of the day being completed, that the Senate recess to the Call of the Chair for the purposes of introducing legislation, referring bills to committee, scheduling hearings, sending and receiving messages.

Motion adopted.

The Senate is in recess to the Call of the Chair.